

80-53-1 #55 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald J. & Mary Jo Stratton, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herely petition for a Variance from Section 1804.2 B.3.

To permit a side yard set back of 30 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Proposed two story addition to a single family residence is closer than 50 feet to the adjacent property line. The addition, as proposed, would be approximately 30 feet from the line.

Due to the interior layout of the house, this is the only practical place for the addition. Additional information will be presented at the public hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser _____
Address _____
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of September 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 30th day of October, 1979, at 9:30 o'clock.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

10/30/79
11/11

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW corner of Sunshine Ave. : OF BALTIMORE COUNTY
and Claydent Lane, 11th District
DONALD J. STRATTON, et ux, : Case No. 80-53-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Code, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter M. Zimmerman
Peter M. Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204

I HEREBY CERTIFY that on this 22nd day of October, 1979, a copy of the foregoing

Order was mailed to Mr. and Mrs. Donald J. Stratton, 7136 Sunshine Avenue, Kingsville, Maryland 21087, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

MICROFILMED

Mr. & Mrs. Donald J. Stratton
7136 Sunshine Avenue
Kingsville, Maryland 21087

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 11th day of September, 1979.

William E. Hammond
William E. Hammond
Zoning Commissioner

Petitioner Donald J. Stratton, et ux

Petitioner's Attorney _____

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 23, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Donald J. Stratton
7136 Sunshine Avenue
Kingsville, Maryland 21087

RE: Item No. 55
Petitioners - Donald J. Stratton,
et ux
Variance Petition

Dear Mr. & Mrs. Stratton:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to construct an addition to the side of the existing dwelling with 30 feet of the side property line in lieu of the required 50 feet this Variance Hearing is required. As indicated in my telephone conversation with Mrs. Stratton on September 28, 1979, the apparent discrepancy between the petition forms and the submitted site plans was intentional. This was done in order to assure that the Variance was advertised correctly and to allow flexibility at the building permit stage.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

THORNTON M. MOURING
DIRECTOR

November 9, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #55 (1979-1980)
Property Owner: Donald J. & Mary Jo Stratton
N/W cor. Sunshine Ave. & Claydent Lane
Existing Zoning: RC 5
Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'.
Acres: 0.85 District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Sunshine Avenue, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

Claydent Lane is a private lane, which if improved in the future as a public road, would be as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including a fillet area for sight distance at the intersection and any necessary reversible easements for slopes would be required for such improvement.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #55 (1979-1980)
Property Owner: Donald J. & Mary Jo Stratton
Page 2
November 9, 1979

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities and beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-17B, as amended, indicate "Planned Service" in 11 to 30 years in the area.

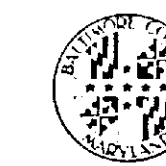
Very truly yours,

Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:SS

cc: J. Trenner
J. Somers

Q-NE Key Sheet
59 & 60 NE 37 Pos. Sheets
NE 15 J Topo
55 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

October 16, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #55, Zoning Advisory Committee Meeting, September 11, 1979, are as follows:

Property Owner: Donald J and Mary Jo Stratton
Location: NW/C Sunshine Avenue and Claydent Lane
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'.
Acres: 0.85
District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

ORDER RECEIVED FOR FILING
DATE 11/19/79
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s), the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

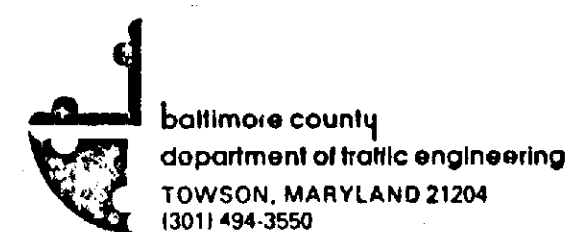
IT IS ORDERED by the Deputy Commissioner of Baltimore County, this 14th day of November, 1979, that the herein Petition for the Variance(s) to permit a side yard setback of 30 feet in lieu of the required 50 feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy [Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County.



STEPHENE COLLINS
DIRECTOR

September 26, 1979

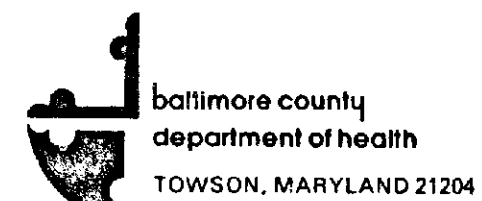
Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comments for the following items: Numbers 55, 56, and 57.

Very truly yours,
[Signature]
Michael S. Flanigan
Engineering Associate II

MSF/mjm



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

October 8, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #55, Zoning Advisory Committee meeting of September 11, 1979, are as follows:

Property Owner:	Donald J. & Mary Jo Stratton
Location:	NW/C Sunshine Ave. & Claydent La.
Existing Zoning:	R.C. 5
Proposed Zoning:	Variance to permit a side setback of 30' in lieu of the required 50'
Acres:	0.85
District:	11

The dwelling is served by a private water well and sewage disposal system, both of which appear to be functioning properly. The proposed addition will not interfere with the location of the well or sewage disposal system; therefore, no health hazards are anticipated.

Very truly yours,
[Signature]
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP:ph



Paul H. Reincke
CHIEF

September 19, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee

Re: Property Owner Donald J. & Mary Jo Stratton
Location: NW/C Sunshine Ave. & Claydent La.

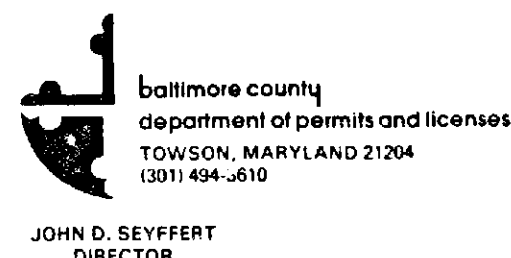
Item No. 55 Zoning Agenda: Meeting of 9/11/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code" 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division



JOHN D. SEYFFERT
DIRECTOR

September 25, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 55 Zoning Advisory Committee Meeting, September 11, 1979 are as follows:

Property Owner: Donald J. & Mary Jo Stratton
Location: NW/C Sunshine Ave. & Claydent La.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'.

Acres: 0.85
District: 11th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.

X B. A building permit shall be required before construction can begin.

C. Additional _____ Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

X E. Three sets of construction drawings MAY be required to file an application for a building permit.

F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

I. No Comment.

X J. Comment: Garage may remain as existing building, should any alterations or changes be proposed, to garage in the future it will then be required to comply with the Code at that time.
NOTE: These comments reflect only on the information provided by the drawing submitted to the Office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,
[Signature]
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: September 10, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: September 11, 1979

RE: Item No: 55, 56, 57, 58
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,
[Signature]
W. Nick Petrovich,
Field Representative

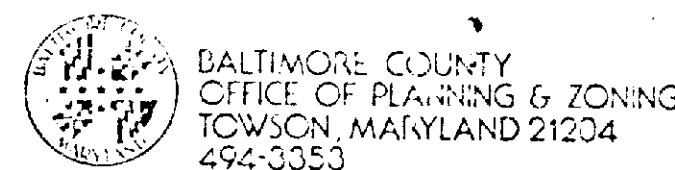
WNP/bp

JOSEPH M. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICEPRESIDENT
MARCUS M. ROTBART

THOMAS M. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER S. MAYDEN

ALVIN LORECK
MRS. WILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT Y. DUBEL, SUPERINTENDENT



WILLIAM E. HAMMOND
ZONING COMMISSIONER

November 14, 1979

Mr. & Mrs. Donald J. Stratton
7136 Sunshine Avenue
Kingsville, Maryland 21087

RE: Petition for Variance
NW/corner of Sunshine Avenue and
Claydent Lane - 11th Election District
Donald J. Stratton, et ux - Petitioners
Case No. 80-53-A (Item No. 55)

Dear Mr. & Mrs. Stratton:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/me

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner

Date: October 22, 1979

TO: John D. Seyffert, Director
FROM: Office of Planning and Zoning

Petition #80-53A. Item 55

SUBJECT: Petition for Variance for side yard setback
Northwest corner of Sunshine Avenue and Claydent Lane
Petitioner - Donald J. Stratton, et ux

11th District

HEARING: Tuesday, October 30, 1979 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

[Signature]
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rw

Beginning at a stone heretofore planted on the west side of Sunshine Avenue at Claydent Lane and running thence North 48 degrees 1 minute 47 seconds East for 255.15 feet, North 24 degrees 46 minutes 20 seconds West for 110.84 feet, South 47 degrees 20 minutes 10 seconds West for 225.87 feet, South 47 degrees 47 minutes 30 seconds East for 205.11 feet. Containing 0.85 acres m/l and known as 7136 Sunshine Avenue.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83211

DATE October 1, 1979 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Mary Jo Stratton

FOR Filing Fee for Case No. 80-53-1

3577 OCT 2 2500

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1116 Date of Posting 10/23/79

Posted for: Young

Petitioner: Donald J. Stratton, et al.

Location of property: 7136 Sunshine Ave. and Claydent Lane

Location of Signs: 7136 Sunshine Ave. - on subject site about 20 ft. S.E. of dwelling

Remarks: Ad Sign

Posted by: Ad Sign Date of return: 10/24/79

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 31 day of Nov, 1979.

Filing Fee \$ 25.00 Received: ✓ Check
✓ Cash
✓ Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Donald J. Stratton, et al. Submitted by Ad Sign

Petitioner's Attorney Ad Sign Reviewed by Ad Sign

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83255

DATE October 30, 1979 ACCOUNT 01-662

AMOUNT \$39.65

RECEIVED FROM Mary Jo Stratton

FOR Advertising and Posting for Case No. 80-53-1

304 OCT 30 3965

VALIDATION OR SIGNATURE OF CASHIER

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>Ad Sign</u>	Revised Plans: Change in outline or description <u>Yes</u> _____ <u>No</u>									
Previous case: _____	Map # _____									



OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 October 11 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Donald J. Stratton, et al. was inserted in the following:

- ☐ Catonsville Times ☐ Arbutus Times
☒ Essex Times ☐ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 12th day of October 1979, that is to say, the same was inserted in the issues of October 11, 1979.

STROMBERG PUBLICATIONS, INC.

BY Esther Berger

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 11 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week of one time successive weeks before the 30th day of October 1979, the 12th publication appearing on the 11th day of October 1979.

THE JEFFERSONIAN,

Cost of Advertisement, \$ _____

